IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

Crl.Rev.Pet.No. 499 of 2007()

CRL.A. NO. 520 OF 2005 OF IV ADDL. SESSIONS JUDGE, ERNAKULAM
C.C. NO. 335 OF 2001 OF J.F.C.M.-II, KOCHI

REVN. PETITIONER: APPELLANT/ACCUSED.

A.M.SALAM, MANAGING DIRECTOR,
VELIYATH AGRO INDUSTRIES PVT. LTD,
403, PIONEER TOWERS, KOCHI-31.

BY ADV. SRI.T.O.XAVIER

RESPONDENTS: COMPLAINANT & STATE.

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1. GEM ENTERPRISES, DORAISWAMY IYER ROAD,
KOCHI-35, REP. BY ITS MANAGING PARTNER.

2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.499 of 2004

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Dated: 12-12-2007

ORDER

The accused in C.C. No. 335 of 2001 on th**e file** of the J.F.C.M.II, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12980 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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